

# Wetlands Bureau Decision Report

Decisions Taken  
06/20/2005 to 06/26/2005

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

**MINOR IMPACT PROJECT**

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**2000-01478                      VERRES FINANCIAL CORPORATION**  
**CONCORD   Unnamed Wetland Ash Brook**

**Requested Action:**

Approve name change to John DeCaprio, 2 Appaloosa Run Concord, NH 03301. Lot #9 only, per request received June 3, 2005.

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**Conservation Commission/Staff Comments:**

Concord   Conservation Commission has reviewed the project and has no objection to [the issuance of] the permit.

**APPROVE NAME CHANGE:**

Dredge and fill 300 square feet including installation of a 24-inch x 30 foot culvert for driveway access on lot 9 within Shenandoah Estates.

**With Conditions:**

1. All work shall be in accordance with plans by Burd Engineering dated May 4, 2005, as received by the Department on May 9, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Proper headwalls shall be installed.
7. Culvert outlets shall be properly rip rapped.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Work shall be done during low flow.

**With Findings:**

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2004-00531                      NH DEPT OF TRANSPORTATION**  
**WOLFEBORO   Smith River**

**Requested Action:**

Widen and rehabilitate bridge to include two travel lanes, paved shoulders, two sidewalks, extend footings and place stone impacting 7,567 sq. ft. of river and bank (3,025 sq. ft. temporary).

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**Conservation Commission/Staff Comments:**

Cons. Comm. has no objection.

**APPROVE PERMIT:**

Widen and rehabilitate bridge to include two travel lanes, paved shoulders, two sidewalks, extend footings and place stone impacting 7,567 sq. ft. of river and bank (3,025 sq. ft. temporary). NHDOT project #12358.

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 8/03, as received by the Department on March 30,2004.

2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.
19. Work to be coordinated with adjacent dam owners.
20. Final stamped plans (sheets relative to rip rap) shall be submitted in accordance with Rule Wt 404.04.
21. The tree removal area on the southwest corner shall have plantings incorporated.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i) alteration of riverbank and channel in excess of 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 16, 2004. Inspection determined that the safety improvements for pedestrians and vehicles are of greater benefit to the public than the proposed impacts to jurisdictional areas, most of which were previously altered.
6. Inspection finds that there will not be a significant impact on the resources of this riverine ecosystem as protected by RSA 482-A and therefore a public hearing is not required.

Requested Action:

Dredge and fill 4180 square feet within the bed and banks of the Ammonoosuc River to replace an existing bridge further described as follows: Temporarily impact 2960 square feet for construction access and to remove existing center abutment, permanently impact 1220 square feet for abutment construction and installation of rip rap along 120 linear feet of river bank.

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APPROVE PERMIT:

Dredge and fill 4180 square feet within the bed and banks of the Ammonoosuc River to replace an existing bridge further described as follows: Temporarily impact 2960 square feet for construction access and to remove existing center abutment, permanently impact 1220 square feet for abutment construction and installation of rip rap along 120 linear feet of river bank.

With Conditions:

1. All work shall be in accordance with plans by Dubois and King Inc dated October 2004, as received by the Department on May 31, 2005.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify in writing the DES Wetlands Bureau, of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
10. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of jurisdiction during construction.
20. Banks shall be restored to a stable condition within three days of completion of construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
26. Silt fencing must be removed once the area is stabilized.
27. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1); projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The existing bridge has deteriorated and is not structurally sound.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The existing crossing includes a center abutment. The proposal will remove this abutment and provide a clear span structure which is a general improvement over the existing crossing.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00334                      A & P INVESTMENT LLC**  
**HOPKINTON   Unnamed Wetland**

Requested Action:

Dredge and fill 4,200 square feet of seasonal stream channel (178 linear feet) and palustrine scrub shrub wetlands to provide access to a proposed 16-Lot subdivision known as Hopkinton Woods.

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Conservation Commission/Staff Comments:

No comments submitted from the conservation commission.

APPROVE PERMIT:

Dredge and fill 4,200 square feet of seasonal stream channel (178 linear feet) and palustrine scrub shrub wetlands to provide access to a proposed 16-Lot subdivision known as Hopkinton Woods.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber:
  - a. Subdivision plan sheets 1 and 2 and Site plan sheet C1.2 revised February 14, 2005, as received by the Department on February 18, 2005; and
  - b. Existing Conditions plan sheets C1.0 and C1.1 revised February 11, 2005, as received by the Department on May 24, 2005; and
  - c. Plan & Profile plan sheets C1.3 thru C1.7 revised April 21, 2005, as received by the Department on May 31, 2005; and
  - d. Erosion Control plan sheets C3.2 and C3.3 revised April 28, 2005, as received by the Department on May 31, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.

7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project impacts 178 linear feet of intermittent stream channel (including 4,200 sq ft of impacts) and is therefore a minor impact project per Administrative Rule Wt 303.03(1), alteration or disturbance of less than 200 linear ft of a seasonal stream channel and/or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHF&G Department had no comments related to the proposed project.
6. The project was redesigned to limit disturbances to the intermittent stream channels and reduced the overall impacts.

**2005-00393                      BRINDAMOUR, JASON & MARY**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Construct three, 6 ft by 30 ft permanent docks connected by a 5 ft by 42 ft permanent walkway in a "W" configuration, supported by six 6 ft by 6 ft cribs, install two 14 ft by 30 ft seasonal canopies in the two center slips provided, and construct a 25 ft by 20 ft perched beach on 289 ft of frontage in Lake Winnepesaukee, Gilford.

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Conservation Commission/Staff Comments:

Con Com has no concerns per comments March 3, 2005

APPROVE PERMIT:

Construct three, 6 ft by 30 ft permanent docks connected by a 5 ft by 42 ft permanent walkway in a "W" configuration, supported by six 6 ft by 6 ft cribs, install two 14 ft by 30 ft seasonal canopies in the two center slips provided, and construct a 25 ft by 20 ft perched beach on 289 ft of frontage in Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction Corp as received by the Department on June 21, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No portion of the piers shall extend more than 35 feet from the shoreline at full lake elevation.

7. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
8. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
9. All ballast material for the cribs shall be taken from the lakebed within 50 of the proposed docking structure.
10. The minimum clear spacing between cribs shall be 12 feet.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
16. This permit shall be used only once, and does not allow for annual beach replenishment.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
19. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system that exceeds the design criteria discussed in Wt 402.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has sufficient frontage for the 4 proposed slips.

**2005-00445                      PLYMOUTH, TOWN OF**  
**PLYMOUTH   Clay Brook**

Requested Action:

Dredge and fill 1870 square feet of Clay Brook to install a 12 foot x 6 foot pre-cast concrete box culvert with a naturalized stream bottom further described as follows: Permanently impact 1870 square feet for installation of the culvert and provide a consistent stream gradient; and temporarily impact 535 square feet for stream diversion.

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Conservation Commission/Staff Comments:

The Conservation Commission did not comment on the proposed project.

APPROVE PERMIT:

Dredge and fill 1870 square feet of Clay Brook to install a 12 foot x 6 foot pre-cast concrete box culvert with a naturalized stream bottom further described as follows: Permanently impact 1870 square feet for installation of the culvert and provide a consistent stream gradient; and temporarily impact 535 square feet for stream diversion.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc dated February 2005, and revised through May 31, 2005, as received by the Department on June 6, 2005.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence

construction no less than five (5) business days prior to the commencement of construction.

5. Work shall be done during low flow.

6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.

9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.

10. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.

18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

19. All refueling of equipment shall occur outside of jurisdiction during construction.

20. Banks shall be restored to a stable condition within three days of completion of construction.

21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

22. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

26. Silt fencing must be removed once the area is stabilized.

27. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1); projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).

2. The existing crossing is undersized and not structurally sound.

3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

4. The existing crossing consists of two closed bottom CMP culverts. The proposal will increase the hydraulic opening, provide a naturalized stream bottom and be a general improvement over the existing crossing.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.



**2005-00638                      MIGHTY OAKS REALTY LLC, TERRY SCHNARE**  
**ANTRIM   Unnamed Wetland**

**Requested Action:**

Dredge and fill 18,343 square feet of palustrine forested and emergent wetlands to provide access to a 22 lot subdivision (15 residential and 7 commercial) known as Mulhall Heights. Preserve 16.63 acres as compensatory mitigation for project-related wetlands impacts, to be conveyed to the Monadnock Conservancy.

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**Conservation Commission/Staff Comments:**

No comments submitted from the Local River Advisory Committee or the Conservation Commission.

**APPROVE PERMIT:**

Dredge and fill 18,343 square feet of palustrine forested and emergent wetlands to provide access to a 22 lot subdivision (15 residential and 7 commercial) known as Mulhall Heights. Preserve 16.63 acres as compensatory mitigation for project-related wetlands impacts, to be conveyed to the Monadnock Conservancy.

**With Conditions:**

1. All work shall be in accordance with plans by A.C. Engineering & Consulting revised June 2, 2005, as received by the Department on June 14, 2005 and Subdivision plans by Doughty Surveying, Inc., sheets 1-3, and 5-7, dated March 23, 2005, as received by the Department on April 6, 2005 and sheet 4, the Conservation Easement Plan by Doughty Surveying, Inc., dated May 3, 2005, as received by the Department on May 23, 2005 and Conceptual Future impacts Phase II on Lot 103, prepared by Chris Danforth & Associates, LLC, dated June 14, 2005, as received by the Department on June 16, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Except for potential future impacts on Lot 103 (Phase 2, approximately 25 acres), there shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on the remaining 21 lots.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low or non flow conditions.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 3 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 3 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland preservation:

16. This permit is contingent upon the execution of a conservation easement on 16.63 acres as depicted on plans prepared by Doughty Surveying, Inc., dated May 3, 2005, as received by the Department on May 23, 2005, to be conveyed to the Monadnock Conservancy.
17. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
18. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
19. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
20. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
21. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This project will impact 18,343 sq ft of palustrine forested wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant proposes 18,343 sq ft of impacts to palustrine forested wetlands, which requires 183,430 sq ft (4.21 acres) of preservation for the compensatory mitigation.
7. The applicant has provided 724,403 sq ft (16.63 acres) of preservation for compensatory mitigation, of which 612,888 sq ft (14.07 acres) are uplands and 111,515 sq ft (2.56 acres) are wetlands.
8. The incorporated wetlands within the proposed mitigation area comprise 15% of the total preservation area.
9. The proposed mitigation parcel is adjacent to a section of the Appalachian Trail along the north side of the conservation easement.
10. The proposed compensatory mitigation parcel is to be conveyed to the Monadnock Conservancy.
11. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

**MINIMUM IMPACT PROJECT**

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**2004-01478                      BROWN, CLEVE & VALERIE**  
**SEABROOK   Salt Marsh**

Requested Action:

Approve name change to: Harold Eaton, PO Box 2805, Seabrook, NH 03874 per request received 6/21/2005.

\*\*\*\*\*

APPROVE NAME CHANGE:

Excavate, regrade and/or otherwise alter terrain and construct a new dwelling, including a driveway and landscaping on a previously developed site including 5,500 sq. ft. within the tidal buffer zone, being within 100 feet of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated June 20, 2004, as received by the Department on July 01, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. NH DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2005-00050 FARDELMAN REVOCABLE TRUST, CHARLOTTE LYMAN  
PORTSMOUTH Piscataqua River**

Requested Action:

Retain a total of 2,330 sq. ft. of impacts for the repair and reconstruction of a seawall.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission recommends approval.

Inspection Date: 04/11/2005 by David A Price

APPROVE AFTER THE FACT:

Retain a total of 2,330 sq. ft. of impacts for the repair and reconstruction of a seawall.

With Conditions:

1. Any further alteration of DES Wetlands Bureau jurisdictional areas on this property will require a new application and further permitting by the DES Wetlands Bureau.
2. The work shall be in accordance with plans by Charlotte Fardelman, as received by the Department on May 20, 2005.

With Findings:

1. This is a minimum impact project per Wt 303.04.
2. This proposal meets the criteria of Chapter Wt 300 for approvable minimum impact projects.
3. This impact was the result of a misinterpretation of the rules and the law contained in Wt 100-800 and RSA 482-A.
4. Applicant has provided DES with written concurrence for work within 20 ft. to abutters property line in accordance with Wt 304.04(a)(b).

**2005-00626 CANTERBURY COVE DEVELOPMENT LLC  
EPSOM Unnamed Wetland**

Requested Action:

Impact 2,050 square feet of forested wetland for the installation of a 7'x7'x68' three-sided box culvert for access to a 26-lot subdivision on 75.48 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Epsom Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Impact 2,050 square feet of forested wetland for the installation of a 7'x7'x68' three-sided box culvert for access to a 26-lot subdivision on 75.48 acres.

**With Conditions:**

1. All work shall be in accordance with the following plans:

a.) The Wetlands Impact Plan by Nobis Engineering, Inc. dated March 2005 as received by the Department on June 17, 2005 and;  
b.) Plan (Sheet 2 of 3) by Richard D. Bartlett Associates, LLC dated March 7, 2005, and revised through April 8, 2005 as received by the Department on May 16, 2005.

2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit is contingent upon the removal of the poled ford crossing located on lot 25 and the restoration of the rutted wetland area located between lots 22 and 23.

5. Photographs mounted on 8.5" x 11" white paper depicting completion of #4 shall be submitted to DES for review and approval. No additional work may begin until approval is granted.

6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.

8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

11. Work shall be done during low flow conditions.

12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Area of restoration shall be regraded to original contours prior to commencement of work. 16. All material removed during work activities shall be placed out of DES's jurisdiction.

17. Mulch within the restoration area shall be straw.

18. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

23. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional

forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00641                      BOOTHBY, CHRISTOPHER**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Permanently remove an existing 3 ft 6 in by 43 ft permanent dock and construct a 43 ft permanent dock consisting of a 4 ft by 10 ft section, connected to a 4 ft 10 ft tapering to 2 ft wide, connected to a 2 ft 10 ft section, connected to a 2 ft by 13 ft section supported by two 18 inch by 22 inch cribs, one 18 inch by 46 inch crib and one pile at the most lakeward end in Lake Winnepesaukee, Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing 3 ft 6 in by 43 ft permanent dock and construct a 43 ft permanent dock consisting of a 4 ft by 10 ft section, connected to a 4 ft 10 ft tapering to 2 ft wide, connected to a 2 ft 10 ft section, connected to a 2 ft by 13 ft section supported by two 18 inch by 22 inch cribs, one 18 inch by 46 inch crib and one pile at the most lakeward end in Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Dumont Docks, as received by the Department on May 31, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing length and location.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of existing docks.

**2005-00650                      NH FISH & GAME DEPT**  
**MIDDLETON   Jones Brook Pond**

Requested Action:

Confirm Emergency Authorization issued April 8, 2005, to investigate the embankment failure at the outlet of the Jones Brook Pond dam.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm Emergency Authorization issued April 8, 2005, to investigate the embankment failure at the outlet of the Jones Brook Pond dam.

**With Conditions:**

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The project was necessary to public safety.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on April 8, 2005.

**2005-00685                      CHAMPAGNE, NANCY & JEFFREY  
LITTLETON   Unnamed Wetland**

**Requested Action:**

Impact 8,195 square feet of emergent wetland to restore a wildlife pond to its previous condition and to restore an emergent wetland from ATV rutting.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

In a letter dated 5/3/05, the Littleton ConCom accepts the application as is.

**APPROVE PERMIT:**

Impact 8,195 square feet of emergent wetland to restore a wildlife pond to its previous condition and to restore an emergent wetland from ATV rutting.

**With Conditions:**

1. All work shall be in accordance with plans by Lobdell Associates Inc., as received by the Department on 4/11/05.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Culvert outlet shall be properly rip rapped.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(k), as impacts are necessary to maintain an existing man-made pond and are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**2005-00864                      ASPINAL, CHARLES SCOTT**  
**TAMWORTH   Wet Meadow**

**Requested Action:**

Dredge and fill 17,240 square feet of wet meadow to create a dugout pond for irrigation of crops and for fire suppression.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

In a letter dated 5/19/05, the Tamworth ConCom voted to recommend approval of the application.

**APPROVE PERMIT:**

Dredge and fill 17,240 square feet of wet meadow to create a dugout pond for irrigation of crops and for fire suppression.

**With Conditions:**

1. All work shall be in accordance with plans by David Weathers dated April 2005, as received by the Department on May 2, 2005.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Pond outlet shall be properly rip rapped.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(p), as impacts for the pond are less than 20,000 square feet in poorly drained soils.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00890                      TRI-COUNTY COMMUNITY ACTION PROGRAM**  
**BERLIN   Dead River**

**Requested Action:**

Impact 25 linear feet of the bank (520 square feet) of the Dead River to demolish and replace an existing building and footings, all part of a downtown revitalization project. Temporarily impact 40 linear feet of the river to install a cofferdam.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 25 linear feet of the bank (520 square feet) of the Dead River to demolish and replace an existing building and footings, all part of a downtown revitalization project. Temporarily impact 40 linear feet of the river to install a cofferdam.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron dated 4/18/05, as received by the Department on 5/4/05.
2. Work shall be done during low flow.
3. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
4. Temporary cofferdams shall be entirely removed immediately following construction.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Collection measures shall be used to contain building debris from falling into the river during demolition and reconstruction.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Wt 303.04(n) and (l), as permanent impacts are less than 50 linear feet, and to construct a temporary cofferdam.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00923                      MAYER ROAD TRUST, DOUGLAS HILL ESQ.  
MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Construct a 6 ft by 4 ft concrete pad with an attached 6 ft by 40 ft seasonal dock on Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com states house being constructed, trees have been removed, no CSPA violation noted by Con Com.

APPROVE PERMIT:

Construct a 6 ft by 4 ft concrete pad with an attached 6 ft by 40 ft seasonal dock on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 12, 2005, as received by the Department on May 6, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Seasonal pier shall be removed from the lake for the non-boating season.
4. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
5. The concrete pad shall be located entirely landward of full lake elevation of 504.32 and behind the natural undisturbed shoreline.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).



With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.
2. The agent for the applicant submitted a plan with the current tree inventory to address the local Conservation Commissions concerns.

**FORESTRY NOTIFICATION**

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**2005-01342                      HALL, GARDNER**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 8, Lot# 1

**2005-01343                      GEORGE, ALAN & MARY MACKILLOP**  
**BROOKFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Brookfield Tax Map 6, Lot# 1, 1B & 1C

**2005-01344                      MERTINOOKE, JEAN**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 414, Lot# 35

**2005-01345                      PHILLIPS EXETER ACADEMY**  
**EXETER   Unnamed Stream Exeter River**

COMPLETE NOTIFICATION:  
Exeter Tax Map 94, Lot# 19

**2005-01359                      EVANS FAMILY TRUST, CHARLES**  
**LONDONDERRY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Londonderry Tax map 17, Lot# 45

**2005-01361                      BYNUM, BEN & ELI MARK**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canterbury Tax Map 12, Lot# 54.3

**2005-01362                      BYNUM, BEN & ELI MARK**  
**CONCORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord Tax Map 123, Lot# 11

**2005-01375                      HIGGINS, KATHIE**  
**HILL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hill Tax Map R8, Lot# 8, 15 & 32

**2005-01376                      SPNHF**  
**GRANTHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Grantham Tax Map 237, Lot# 11

**2005-01380                      RH WEBB FOREST PRESERVE**  
**SUNAPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sunapee Tax Map 234, Lot# 8

**2005-01405                      TIPSON, SUSAN DAVIS**  
**GOFFSTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Goffstown Tax Map 4, Lot# 73

**2005-01408                      SNOW, STEPHEN**  
**BROOKFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Brookfield Tax Map 38 & 39, Lot# 4, 5 & 3

**2005-01411                      TR DILLON LOGGING**  
**SUGAR HILL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sugar Hill Tax Map 201 & 202, Lot# 1 & 144, 13

**2005-01413                      TR DILLON LOGGING**  
**LISBON   Unnamed Stream**

COMPLETE NOTIFICATION:

Lisbon Tax Map R49 & R32, Lot# 1 & 26

EXPEDITED MINIMUM

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**2005-00753                      WARREN, THOMAS**  
**CHATHAM   Unnamed Wetland**

Requested Action:

Impact 132 square feet within the bed and banks of an intermittent stream for the installation of a pvc/platic 24-inch by 30-foot culvert for access to a single family residential lot on 27 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Chatham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 132 square feet within the bed and banks of an intermittent stream for the installation of a pvc/platic 24-inch by 30-foot culvert for access to a single family residential lot on 27 acres.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne-Surveys, Inc. revised June 9, 2005, as received by the Department on June 10, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01017                      CHANGING PLACES REAL ESTATE LLC**  
**DOVER   Unnamed Wetland**

Requested Action:

Temporarily impact 2,722 sq. ft. of forested wetland for the installation of a sewer main for a 20-lot residential subdivision on a 13.42 acre parcel of land.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Dover Conservation Commission endorses the project.

APPROVE PERMIT:

Temporarily impact 2,722 sq. ft. of forested wetland for the installation of a sewer main for a 20-lot residential subdivision on a 13.42 acre parcel of land.

With Conditions:

1. All work shall be in accordance with the following plans by Civil Design Engineering Consultants received by the Department on May 17, 2005:
  - a.) Utility Layout Plan (Sheet 6 of 16) dated December 5, 2003 and revised through July 21, 2004;
  - b.) Off-site Sewer Plan (Sheet 9 of 16) dated April 30, 2004 and revised through February 16, 2005.
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Strafford Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Construction workspace shall be limited to the 20-ft. construction area as depicted on the approved plans, unless further authorization is received pursuant to condition #7 below.
9. All additional temporary workspace outside of the approved construction area shall be located at least 20 ft. from any wetland or watercourse or the further approval of the NHDES Wetlands Bureau shall be obtained prior to use of the workspace.
10. All wetlands approved to be impacted by construction of the pipeline shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
13. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
14. Mulch within the restoration area shall be straw.
15. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
16. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
17. The impact area shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by August of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the impact area is not adequately stabilized and restored.
18. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the sewer main construction area during this same period.
19. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two

(2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 6/22/2005. Field inspection determined this project is consistent with similar permitted projects.
6. On June 21, 2005, DES received the recorded easement for the impacts associated with the installation of the sewer main on the property identified as Anna R. Kay, Dover Tax Map G Lot 29.
7. Pursuant to Wt 304.04, the applicant sent, via certified mail a letter requesting the consent for the impacts within 20-feet within 20-feet of the property identified as Joyce E & Stanley B Goldberg (Dover Tax Map G Lot 24J). Subsequently, the applicant was not able to obtain written consent for work proposed impact.
8. The Department waives Wt 304.04 with the finding that upon field inspection the proposed impacts will not have any adverse impact upon the aforementioned affected abutter. Secondly, relocation of the impact area outside the 20-foot setback will increase impacts to jurisdictional areas.

**2005-01045                      GAK INVESTMENTS LLC**  
**GILSUM   Tributary To Ashuelot River**

Requested Action:

Impact 500 square feet within the bed and banks of an intermittent stream for the installation of a 20-inch by 20-foot culvert for access to a single family residential lot on 3.94 acres as part of a 2-lot subdivision of 7.3 acres.

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Conservation Commission/Staff Comments:

The Gilsum Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 500 square feet within the bed and banks of an intermittent stream for the installation of a 20-inch by 20-foot culvert for access to a single family residential lot on 3.94 acres as part of a 2-lot subdivision of 7.3 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Crossing plan by Bell Engineering dated April 26, 2005 and revised on June 20, 2005, as received by the Department on June 22, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The Local Advisory Committee for Designated Rivers was notified on 5/20/2005 because the proposed project is located on a tributary to the Ashuelot River.
7. To this date, no response has been recorded by the Wetlands Bureau pursuant to the 25 day deadline for response from the LAC.

**2005-01046                      DUBOIS, RENE & ELIZABETH**  
**DOVER   Tributary To Canney Brook**

Requested Action:

Impact 600 square feet within the bed and banks of an intermittent stream for the installation of underground utility lines and a 12-inch by 16-foot culvert for access to a single family residential lot on 2.633 acres as part of a 2-lot subdivision of 3.689 acres.

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Conservation Commission/Staff Comments:

The Dover Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 600 square feet within the bed and banks of an intermittent stream for the installation of underground utility lines and a 12-inch by 16-foot culvert for access to a single family residential lot on 2.633 acres as part of a 2-lot subdivision of 3.689 acres.

With Conditions:

1. All work shall be in accordance with the Individual Sewage Disposal System Design plans by Trittech Engineering Corp. dated May 9, 2005, as received by the Department on June 17, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to

permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Lined Bulrush (*Scripus pendulus*). DES review of this application and finds that the NHNHB identified species will not be impacted as a result of this project because the species is located in a marsh area and the proposed area is forested wetland.

## GOLD DREDGE

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**2005-01389                      MEYERROSE, KYLE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

## TRAILS NOTIFICATION

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**2005-01377                      NH DEPT OF TRANSPORTATION**  
**NEW DURHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Durham Rte 11 ROW

**2005-01379                      BICKFORD, DAVID**  
**NEW DURHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Durham Tax Map 9 & 39, Lot# 12 & 3

## LAKES-SEASONAL DOCK NOTIF

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**2005-01349                      ORENSTEIN, FRANCINE**  
**MEREDITH   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Meredith Tax Map U38, Lot# 15 Lake Winnepesaukee

**2005-01350                      ST GERMAIN, THOMAS**  
**RUMNEY   Stinson Lake**

COMPLETE NOTIFICATION:  
Rumney Tax Map 2, Lot# 18 Stinson Lake

**2005-01363                      CAIRNS, CHRISTOPHER**  
**NEW DURHAM   Merrymeeting Lake**

COMPLETE NOTIFICATION:  
New Durham Tax Map 28, Lot# 25 Merrymeeting Lake

**2005-01364                      FRANK ASSOC.LLC, JEANNE LYMAN**  
**HOLDERNESS   Squam Lake**

COMPLETE NOTIFICATION:  
Holderness Tax Map 235, Lot# 4 Squam Lake

**2005-01381                      CARROLL, ROBERT & THERESA**  
**HARRISVILLE   Harrisvill Epond**

COMPLETE NOTIFICATION:  
Harrisville Tax Map 60, Lot# 50 Harrisville Pond

**2005-01382                      LOUNSBURY, BLAIR**  
**STODDARD   Highland Lake**

COMPLETE NOTIFICATION:  
Stoddard Tax Map 119, Lot# 41 Highland Lake

**2005-01383                      MICHAUD, DONALD**  
**WAKEFIELD   Belleau Lake**

COMPLETE NOTIFICATION:  
Wakefield Tax Map 70, Lot# 19 Belleau Lake

**2005-01384                      VINCENT, ERNEST & CAROL**  
**MOULTONBOROUGH   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 38, Lot# 60E Lake Winnepesaukee

**2005-01385                      HANSEN III, ALBERT & CELELIA**  
**CENTER SANDWICH   Dinsmore Pond**



COMPLETE NOTIFICATION:

Center Sandwich Tax Map R19, Lot# 34 Dinsmore Pond

**2005-01399                      LEVESQUE, PAUL & BRENDA**  
**WASHINGTON   Highland Lake**

COMPLETE NOTIFICATION:

Washington Tax Map 24, Lot# 113 Highland Lake

**ROADWAY MAINTENANCE NOTIF**

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**2005-01386                      TICHY, THEODORE**  
**SUCCESS   Unnamed Stream**

**2005-01397                      MONT VERNON, TOWN OF**  
**MONT VERNON   Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2005-01147                      PLAINFIELD HIGHWAY DEPT**  
**PLAINFIELD   Unnamed Stream**

**2005-01249                      HOWLAND, ROGER**  
**ALTON   Lake Winnepesaukee**

Requested Action:

In-kind repair to a 7'x14' portion of existing   crib dock on Lake Winnepesaukee with 105 linear feet of shoreline frontage.

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Conservation Commission/Staff Comments:

Town of Alton Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind repair to a 7'x14' portion of existing   crib dock on Lake Winnepesaukee with 105 linear feet of shoreline frontage.

**2005-01358                      WIENER, PAUL & BLANCHE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Replenish 460 sq. ft. of beach sand on an existing beach with an existing drainage swale and to construct two drainage areas with a stone interceptor drain

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COMPLETE NOTIFICATION:

Replenish 460 sq. ft. of beach sand on an existing beach with an existing drainage swale and to construct two drainage areas with a stone interceptor drain